

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

WEB3AI TECHNOLOGIES, LLC,

Plaintiff,

v.

MICROSTRATEGY INCORPORATED D/B/A  
STRATEGY,

Defendant.

Civil Action No.: 2:25-cv-260-AWA-DEM

**DEFENDANT MICROSTRATEGY INCORPORATED'S  
MOTION TO DISMISS WEB3AI'S COMPLAINT FOR PATENT INFRINGEMENT**

PLEASE TAKE NOTICE that Defendant MicroStrategy Incorporated d/b/a Strategy hereby moves the Court to enter an order dismissing Plaintiff Web3AI Technologies, LLC's Complaint because all claims of U.S. Patent No. 9,218,574 ("the '574 patent") are invalid under 35 U.S.C. § 101 for lack of patentable subject matter, as set forth in greater detail in the accompanying brief in support of this motion. Additionally, apparatus and system claims 1-15 and 21-25 of the '574 patent are invalid as indefinite under 35 U.S.C. § 112, as also set forth in greater detail in the accompanying brief. And while a defective pleading normally would be dismissed without prejudice to the plaintiff repleading his case, that doctrine is cabined by the requirement that Web3AI *be able* to replead without it being futile. Where, as here, the pleading is defective and the defect cannot be corrected in a new pleading, dismissal *with prejudice* is mandated.

Respectfully submitted,

**FISH & RICHARDSON P.C.**

Dated: July 15, 2025

By: /s/ Ahmed J. Davis

Ahmed J. Davis (Va. Bar No. 43982)

adavis@fr.com

Daniel R. Gopenko (Va. Bar No. 83932)

gopenko@fr.com

FISH & RICHARDSON P.C.

1000 Maine Avenue, SW, Suite 1000

Washington, DC 20024

Telephone: (202) 783-5070

Facsimile: (202) 783-2331

*Counsel for Defendant*

MICROSTRATEGY INCORPORATED D/B/A  
STRATEGY

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been electronically filed with the Clerk of the Court on July 15, 2025 using the CM/ECF system which does send notification of such filing to all counsel of record.

*/s/ Ahmed J. Davis*

---

Ahmed J. Davis (Va. Bar No. 43982)  
adavis@fr.com  
FISH & RICHARDSON P.C.  
1000 Maine Avenue, SW, Suite 1000  
Washington, DC 20024  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331